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6
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7 *Hughes Water & Sewer LP, and*
HD Supply Construction Supply, Limited Partnership
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9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 EDWIN K. SLAUGHTER, REBECCA FLINN,
and MEL and CAROL HEALEY, individually
12 and on behalf of all others similarly situated,

Case No.: 2:08-cv-01223

13 Plaintiffs,

14 vs.

15 UPONOR, INC., a Minnesota corporation;
UPONOR NORTH AMERICA, INC., a
Minnesota corporation; RCR PLUMBING AND
16 MECHANICAL, INC., a California corporation;
INTERSTATE PLUMBING & AIR
CONDITIONING, LLC, a Nevada limited
liability company; UNITED PLUMBING, LLC, a
17 Nevada limited liability company; FERGUSON
ENTERPRISES, INC., a Virginia corporation;
HUGHES WATER & SEWER LP, a Florida
18 limited partnership and successor by merger to
STANDARD WHOLESALE SUPPLY
COMPANY, a dissolved Nevada corporation;
19 HD SUPPLY CONSTRUCTION SUPPLY,
LIMITED PARTNERSHIP, a Florida limited
partnership; DOES 1-30, ROE
20 CORPORATIONS I-XXX,

**MOTION FOR AN ORDER
SHORTENING TIME ON PLAINTIFF'S
MOTION FOR VOLUNTARY
DISMISSAL WITHOUT PREJUDICE
BY DEFENDANT HUGHES WATER &
SEWER LP AND HD SUPPLY
CONSTRUCTION SUPPLY**

21 Defendants.

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1 Defendants **Hughes Water & Sewer LP, and HD Supply Construction Supply Limited**
 2 **Partnership**, by and through their counsel of record, David J. Larson, Esq. and Rosemary
 3 Missisian, Esq. of the law firm of WEINBERG WHEELER HUDGINS GUNN & DIAL, LLC,
 4 3773 Howard Hughes Parkway, Suite 390N, Las Vegas, Nevada 89169, hereby submits this
 5 Motion for an Order Shortening the Time for the hearing on Plaintiff's Motion for Voluntary
 6 Dismissal Without Prejudice (Document 183).

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 8 DATED this 13th day of August 2009.

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12 David J. Larson, Esq.
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 15 GUNN & DIAL, LLC
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 17 Las Vegas, NV 89169
 18 *Attorneys for Defendants*
 19 *Hughes Water & Sewer LP,*
 20 *HD Supply Construction Supply, Limited Partnership*

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MEMORANDUM OF POINTS AND AUTHORITIES

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 19 Defendants Hughes Water & Sewer, LP ("Hughes Water") and HD Supply Construction
 20 Supply Limited Partnership ("HD Supply") move for an order shortening the time for a hearing
 21 regarding Plaintiffs' Motion for Voluntary Dismissal without prejudice. (Doc. 183). Plaintiffs
 22 previously obtained agreement from all parties, with the exception Uponor, Inc., to execute a
 23 Stipulation of Dismissal without prejudice as to Hughes Water and HD Supply. Based on the
 24 inability to obtain signatures of all parties, Plaintiffs moved for dismissal. Uponor, Inc. has
 25 responded to Plaintiffs' Motion for Voluntary Dismissal. (Doc. 194). The only pleading
 26 remaining is a reply brief responsive to Uponor, Inc.'s Response to Plaintiffs' Motion for
 27 Voluntary Dismissal.

28 Hughes Water and HD Supply request that the hearing on this matter be expedited in order
 to prevent these parties from having to spend additional time and money participating in the

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1 discovery process, when such efforts will not be necessary if these defendants are dismissed from
2 this action.

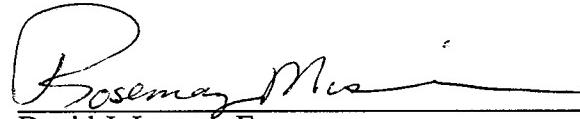
3 Local Rule 6-1 governs requests for continuance, extension of time or orders shortening
4 time. The rules states:

5 Every motion requesting a continuance, extension of time, or order shortening time
6 shall be "Filed" by the clerk and processed as an expedited matter.

7 Hughes Water and HD Supply are filing this motion with the clerk in accordance with this
8 local rule.

9 Based on the foregoing, Hughes Water and HD Supply respectfully request an order
10 shortening the time for the hearing regarding Plaintiffs' Motion for Voluntary Dismissal as to
11 Hughes Water and HD Supply. To allow the filing of a Reply brief, Hughes Water and HD Supply
12 respectfully request a hearing date on August 20, 2009 or as soon as possible thereafter.

13 DATED this 13th day of August, 2009.
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15
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23 *Hughes Water & Sewer LP and*
24 *HD Supply Construction Supply, Inc.*
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CERTIFICATE OF SERVICE

I hereby certify that on the 13 day of August, 2009, the foregoing DEFENDANT
HUGHES WATER & SEWER LP AND HD SUPPLY CONSTRUCTION SUPPLY'S
MOTION FOR AN ORDER SHORTENING THE TIME FOR THE HEARING
REGARDING PLAINTIFF'S MOTION FOR VOLUNTARY DISMISSAL WITHOUT
PREJUDICE was served on all parties or persons requesting notice via the United States
District Court CM/ECF system.

An Employee of Weinberg, Wheeler,
Hudgins, Gunn & Dial, LLC

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